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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,677	05/02/2001	James Colica	G03.005	4805
28062 7590 02/16/2007 BUCKLEY, MASCHOFF, TALWALKAR LLC 50 LOCUST AVENUE NEW CANAAN, CT 06840			EXAMINER HARBECK, TIMOTHY M	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/847,677

Applicant(s)

COLICA ET AL.

Examiner

Timothy M. Harbeck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20, 22 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US 6,513,019 B2) in view of Borkovsky (US 6,556,991 B1) in view of Tan (Victor S. L. Tan. "Early Warning System Important." New Straits Times. Kuala Lumpur: Apr 22, 1998. pg 12).

Re Claim 1: Lewis discloses a financial consolidation and communication platform comprising:

- Gathering information about each of said operating units including at least one product identifier and at least one collateral identifier (Column 4, lines 54-67)

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- Mapping said at least one product identifier to a standardized product identifier (Column 3, lines 14-17)
- Mapping said at least one collateral identifier to a standardized collateral identifier (Column 3, lines 14-17)
- Receiving, from each of said operating units, unit exposure data identifying an exposure of said operating unit to at least a first customer of said operating unit based on said standardized product identifier and said standardized collateral identifier (Column 3, lines 1-17); and
- Generating aggregated exposure information for said entity (Column 3, lines 14-17)

Lewis does not explicitly disclose the steps comprising:

- Mapping said product identifier to a standardized identifier by associating product nomenclature from each of a plurality of operating units with the product nomenclature of the entity
- Mapping said collateral identifier to a standardized identifier by associating collateral nomenclature from each of the plurality of operating units with collateral nomenclature of the entity
- Wherein generating aggregated exposure information for said entity includes information related to said at least one customer to indicate a financial exposure of the entity as related to said at least one customer across the plurality of operating units.

Borkovsky discloses a method for item name variation comprising Mapping said product identifier to a standardized identifier by associating product nomenclature from each of a plurality of operating units to a standard product nomenclature (See Fig 3A, 3C, 4A). It would have been obvious to a person skilled in the ordinary art at the time of invention to modify Lewis to include the teachings of Borkovsky in order to account for all possible variants and inconsistencies amongst product names and items and so that all variants can be clustered under a single name. This allows for a more efficient system of identification, storage and extraction of product information for the business entity.

The references do not explicitly disclose mapping said collateral identifier to a standardized identifier by associating collateral nomenclature from each of the plurality of operating units with a standard collateral nomenclature, however the teachings of Borkovsky show the general mapping of variant nomenclature to a standard format and the same principles apply to any process of mapping variant verbiage to a standard (See Figs 3A, 3C and 4A, both product names and brand names are mapped). It would have been obvious to a person of ordinary skill in the ordinary art at the time of invention to modify Lewis and Borkovsky to include variant collateral identification as well in order to account for all possible variants and inconsistencies amongst collateral names and items and so that all variants can be clustered under a single name. This allows for a more efficient system of identification, storage and extraction of collateral information for the business entity.

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Tan discloses the step of generating aggregated exposure information for said entity includes information related to said at least one customer to indicate a financial exposure of the entity as related to said at least one customer across the plurality of operating units (see abstract; 3rd paragraph). It would have been obvious to a person of ordinary skill in the art at the time of invention to modify Lewis to include the teachings of Tan so that an entity does not make itself vulnerable, in terms of financial exposure, to one particular customer or account.

Re Claim 2: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses wherein said at least one product identifier includes information identifying at least one of: a unit product name; a standardized product name; a standardized product parent; an effective date; an expiration date; and a point of contact (Column 4, lines 54-60; stochastic data records from plural disparate systems and data sources relating to financial transactions...converts this disparate data into a common format)

Re Claim 3: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses wherein said at least one collateral identifier includes information identifying at least one of: a unit collateral name; a standardized collateral name; a standardized collateral parent; an effective date; and a point of contact (Column 3, lines 4-17).

Re Claim 4: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing wherein said at least one collateral identifier indicates that no collateral has been provided, Lewis does note that "a risk manager seeks the total

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position and cash versus each counterparty and currency integrated with current and complete details of each financial instrument that is traded in customer portfolios (Column 3, lines 7-12).” It would be obvious to anyone skilled in the ordinary art at the time of invention to conclude that details regarding collateral would be included with this information as it helps to define the total position of one party to another with regards to a particular transaction. It then follows that if no collateral information were listed, then no collateral has been provided because this information would be necessary to know in order to define the customer’s position according to the methods of Lewis.

Re Claim 5: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses wherein said customer data includes at least one of: a customer name; a customer address; a customer industry; a credit score name; a credit score; and a credit rating (See Figure 22).

Re Claim 6: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step comprising analyzing said customer data to associate a received customer name with a legal name of said at least first customer, Official Notice is taken that this step is old and well known in the art and would have been obvious to someone skilled in the ordinary art at the time of invention. Many types of transactions, especially those involving collateral, require a customer to use their legal name. If then, during a future transaction involving the same customer, a variation of that name is used (for instance if a customer mistakenly uses a common nickname, instead of his full legal name), this would need to be corrected and the true customer account used.

Re Claim 7: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly wherein said analyzing includes retrieving said legal name of said at least first customer from an external data source, this step would have been obvious from the previously rejected method claim 6 above. Since it was established that the full legal name is necessary for certain transactions, and if a customer provides a name different than this name, the legal name would have to be retrieved from another source in order to continue. Furthermore, Lewis does note that the system does receive data records from plural disparate systems and data sources related to customers and counterparties (Column 4, line 54-59).

Re Claim 8: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step of analyzing said customer data to associate a received customer address with a legal name of said at least first customer, Lewis does note that he system does receive data records from plural disparate systems and data sources related to customers and counterparties and derives information from the data. Since many businesses require customers to issue an address along with their account information (for billing purposes perhaps), it would have been obvious to anyone skilled in the ordinary art at the time of invention to retrieve (associate) an address for a particular customer when only given the name on the account.

Re Claim 9: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses wherein said unit exposure data includes at least one of: a deal identifier; a transaction identifier; information identifying a customer transaction role; a status of the transaction; a product identifier; a maturity date; information identifying a

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type of participation of said operating unit; an exposure amount; receivable information for said exposure amount; and a collateral identifier (See Fig 7 and Column 12, lines 2-16).

Re Claim 10: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step comprising comparing said unit exposure data with at least one data standard, Official Notice is taken that this step was well known and would have been obvious to anyone skilled in the ordinary art at the time of invention. Lewis discloses that risk exposure of a business is dynamically calculated with each transaction (Column 3, lines 1-7). These numbers are calculated for the purposes of analysis and therefore need some type of benchmark or data standard from which to compare. Without a "data standard," the calculated number is essentially useless.

Re Claim 11: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step of rejecting said unit exposure data if said unit exposure data fails to comply with said data standard, Official Notice is taken that this step was well known and would have been obvious to anyone skilled in the ordinary art at the time of invention. As was noted previously in the rejection of Claim 10 above, Lewis discloses that risk exposure of a business is dynamically calculated with each transaction (Column 3, lines 1-7). The purpose of calculating this risk exposure is to prevent a business from taking on too much risk as a whole. It would be obvious then that there must be some benchmark after which the business decides that their

exposure to risk is too great and therefore would reject this exposure data (Column 3, lines 14-17). Otherwise, there would be no reason to calculate risk exposure.

Re Claim 12: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step of comparing a plurality of said unit exposure data with a plurality of data standard to generate a failure number and accepting said unit exposure data if said failure number is less than an established threshold, Lewis does disclose that the “risk manager seeks the firm’s total position and cash versus each counterparty and currency, integrated with current and complete details of each financial instrument that is traded in customer portfolios or in the firm’s inventory, to input automated risk assessments. Based on the resulting information, the risk manager acts to rebalance positions of the firm so that exposure may be reduced (Column 3, lines 7-14).” While not explicitly noting a failure number, it would have been obvious to anyone skilled in the ordinary art at the time of invention to assume that since a manager rebalances the position of the firm (specifically to reduce risk) based upon the resulting information, that there is a failure number, or some similar variable that is unacceptable to the company.

Re Claim 13: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step of adjusting said established threshold before said comparing step, Official Notice is taken that it was well known in the art at the time of invention that risk-exposure varies depending on a number of factors that are specific to the particular business. It is not out of the ordinary for the estimates of maximum risk exposure to change based upon changes in these factors. It would therefore be

obvious to adjust an established threshold of risk if the need exists, in order to more accurately reflect the business' current position.

Re Claim 14: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses presenting said aggregated exposure information in a first format for review (Column 3, lines 1-17). Specifically there would initially be a non-standardized format of the data.

Re Claim 15: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses receiving a request to present said aggregated exposure information in a second format for review and presenting said aggregated exposure information in said second format (Column 3, lines 1-17). Specifically the information is gathered in a first format and then "standardized" into a second format, so the data can be compared and analyzed on the same plane.

Re Claim 16: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses wherein said aggregated exposure information is aggregated by at least one of: operating unit; customer; collateral; exposure amount; product and geographical area (Column 3, lines 1-17).

Re Claim 17: Lewis / Borkovsky / Tan discloses the claimed method supra and while not explicitly disclosing the step of establishing at least one exposure threshold amount, Lewis does disclose that inputs from customers can be collected and that from these inputs a risk assessment can be performed and corrective action can be taken. The statement that corrective action can be taken implies that a certain threshold with

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regards to the inputs has been exceeded and appropriate measures must be taken to correct the problem.

Re Claim 18: Lewis / Borkovsky / Tan discloses the claimed method supra and further discloses the step wherein said at least one exposure threshold amount is established for at least one of: a product; a collateral; a customer; an operating unit; a geographical area; a group of products and a group of operating units (Column 3, lines 1-17). Specifically Lewis notes, "The risk manager also seeks the firm's, or a counterparty's, total position and cash versus each counterparty and currency, integrated with current and complete details of each financial instrument."

Re Claim 19: Lewis / Borkovsky / Tan discloses the claimed method supra and further discloses the step of presenting said aggregated exposure information in a first format for review and indicating said at least one exposure threshold amount in said first format (Column 1-17). Specifically there would initially be a non-standardized format of the data that is initially presented before any manipulation takes place.

Re Claim 20: Lewis / Borkovsky / Tan discloses the claimed method supra and Lewis further discloses the step of receiving a request to present said aggregated exposure information in a first format for review; performing at least one data analysts on said aggregated exposure information and presenting said aggregated exposure information in said first format for review (Column 3, lines 1-17). Specifically the data is first gathered, standardized, aggregated and consolidated into a first format and then a risk assessment (analysis) is performed on the information. After the analysis, the information can be presented for further review.

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Re Claim 22: Further computer program product would have been obvious to perform previously rejected method claim 1 and is therefore rejected using the same art and rationale.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Borkovsky.

Re Claim 24: Lewis discloses a financial consolidation and communication platform comprising:

- Generating, at said operating unit, information about said operating unit including at least one product and at least one collateral item (Column 3, lines 1-7)
- Mapping said at least one product to a standardized product identifier (Column 3, lines 14-17; inputs are standardized)
- Mapping said at least one collateral item to a standardized collateral identifier (Column 3, lines 14-17; inputs are standardized)
- Periodically generating unit exposure data for each operating unit, said unit exposure data identifying financial exposures of said operating unit to at least a first customer based on at least one standardized product identifier and at least one standardized collateral identifier (Column 3, lines 1-14)

Lewis does not explicitly disclose the steps of

- Mapping said product identifier to a standardized identifier by associating product nomenclature from each of a plurality of operating units with the product nomenclature of the entity
- Mapping said collateral identifier to a standardized identifier by associating collateral nomenclature from each of the plurality of operating units with collateral nomenclature of the entity
- Submitting said unit exposure data for approval; and
- Receiving an approval of said unit exposure data if said unit exposure data satisfies at least one data quality standard

Borkovsky discloses a method for item name variation comprising Mapping said product identifier to a standardized identifier by associating product nomenclature from each of a plurality of operating units to a standard product nomenclature (See Fig 3A, 3C, 4A). It would have been obvious to a person skilled in the ordinary art at the time of invention to modify Lewis to include the teachings of Borkovsky in order to account for all possible variants and inconsistencies amongst product names and items and so that all variants can be clustered under a single name. This allows for a more efficient system of identification, storage and extraction of product information for the business entity.

The references do not explicitly disclose mapping said collateral identifier to a standardized identifier by associating collateral nomenclature from each of the plurality of operating units with a standard collateral nomenclature, however the teachings of Borkovsky show the general mapping of variant nomenclature to a standard format and

the same principles apply to any process of mapping variant verbiage to a standard (See Figs 3A, 3C and 4A, both product names and brand names are mapped). It would have been obvious to a person of ordinary skill in the ordinary art at the time of invention to modify Lewis and Borkovsky to include variant collateral identification as well in order to account for all possible variants and inconsistencies amongst collateral names and items and so that all variants can be clustered under a single name. This allows for a more efficient system of identification, storage and extraction of collateral information for the business entity.

The references do not explicitly show, Submitting said unit exposure data for approval; and receiving an approval of said unit exposure data if said unit exposure data satisfies at least one data quality standard Lewis does note that a risk manager gathers, standardizes, aggregates and consolidates the inputted data to perform a risk assessment. It can be assumed, by one skilled in the ordinary art at the time of invention, that this risk assessment is necessary to approve the particular unit. Lewis further notes that corrective action can be taken, which shows that certain data is not initially accepted but needs to be reworked. Furthermore the fact that the data can in fact be corrected implies that some data is in fact approved in the process, so long as it meets the standards set forth by the business. It would have been obvious to anyone skilled in the art to include the submitting of exposure data for approval and eventual acceptance of the data to the system and method of Lewis because risk exposure is a key element in the everyday operations of a business and this information is vital to the

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health of the company. If there were no checks on the risk exposure, a company could potentially leave itself vulnerable to a considerable financial loss.

Response to Arguments

Applicant's arguments filed 12/18/2006 have been fully considered but they are not persuasive.

The applicants sole argument with respect to the previous Office Action is that the Borkovsky reference does not offer any distinction or suggestion regarding an association of a name variant and a normalized name for an item regarding an operating unit, and furthermore a plurality of operating units. However the examiner believes that a further reading of Borkovsky discloses exactly this. Borkovsky discloses that "Variations of an item will be henceforth be referred to as 'item name variants.' Assume that each item name variant in table 110 is extracted from a different shopping catalog. For example, item name variant 112 is extracted from item name source 112a, namely, 'Catalog A.' Similarly, item name variants 114, 116, 118 are extracted from item name sources 114a, 116a, 118a resectively." (Column 1, lines 62-Column 2 line 11; Figs 1A and 1B). Form this disclosure it seems that Borkovsky associates product nomenclature (item name variants) from each of the plurality of operating units (item name sources) with product nomenclature of the entity (Lands End). Thus the rejection from the previous action is maintainted.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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SUPERVISORY PATENT EXAMINER